



# Town Administrator's Office

343 Highland Road, Tiverton, Rhode Island 02878 (401) 625-6710

## *Memorandum*

Date: April 19, 2016  
To: LUPI Committee  
From: Matt Wojcik  
RE: April 13, 2016 Meeting Minutes

The April meeting of the Land Use Procedure Improvement (LUPI) ad hoc committee was called to order at 6:33 PM on Wednesday, April 13, 2016 in the Tiverton Town Hall Town Council chamber. A quorum consisting of the Town Administrator Matthew Wojcik (the chair), Code Enforcement Official Neil Hall, Planning Board Administrative Officer Marc Rousseau, Planning Board Chair, Stu Hardy; Councilman Brett Pelletier were noted as present.

Motion was made by Chairman Wojcik and seconded by Marc Rousseau to adjourn this meeting no later than 7:45 pm. All in favor.

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### **Approval of Minutes from LUPI Meeting held March 16, 2016**

Motion was made by Councilman Pelletier to approve the minutes of the prior meeting held March 16, 2016 and seconded by Marc Rousseau. All were in favor. (Stu Hardy abstained – did not attend the March 16, 2016 meeting.)

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### **Discussion: Requirement that subdivisions must be recorded before it may be marketed**

Discussed Harkins...

It was noted at our last meeting that Harkins Stafford View Farm has a William Raveis sign as well as a Harkins Development Corp sign displayed before

subdivision has been recorded. Marc is enforcement on this violation. Letter going out.

Penalty is 7 day Cease and Desist then becomes \$500 per day.

He doesn't want to pay taxes on individual lots. Builds model first. Owes \$3,400 on review from Commonwealth.

He can build a road that divides the land and not record the subdivision? It is not a driveway anymore, it is a road. Planning Board approves location of the road. DPW director inspects it.

Stu was saying sometimes it is a hardship on developer to force them to record the subdivision.

Stu says we should enforce that they can't advertise lots until those lots are recorded in Town Hall.

Planning Board has never released any surety before a subdivision has been recorded. We tightened up our surety release policy under Steve Hughes.

Spoke of Diedre needing to be paid for her work on the Harkins project.

Conclusion: Marc to update LUPI regarding Harkins next month.

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## **Discussion: Interaction of State Right to Farm Act, Winery Laws, Town of Tiverton Zoning Ordinance**

Getting a few complaints regarding spreading clam shells.

It becomes more complicated when manufacturing alcoholic beverages. We have multi-tier requests... a farm in R80, now they want to produce a product that attracts people. They have a certain amount of leeway to advertise on the street.

If it is a brewery, where does it leave it in terms of zoning enforcement?

If there is a greenhouse, pigs, chickens, hayrides, this impacts the neighborhood with the traffic...people park along side of streets.

There are properties that are in the Farm Act but are not actually farms. This needs to be addressed. For legitimate farmers in town, it is a good thing.

We will get with legal counsel to sort out.

Maybe accept a conservation easement?

Need to learn more about Right to Farm Act and winery law?

We need to keep this discussion on the agenda for next month with an update.

We will keep Farm Forest Open Space program discussion on agenda with update.

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**Discussion: Water Infrastructure as element considered in Planning Board processes**

Keep on agendas as an issue as large developments are concerned.

What is the planning board process for water infrastructure with developments?  
They will make it part of their due diligence before approving any plans. Ask for a study on water indicating volume of water, etc. Also ask Fire Dept to do testing of hydrants in that vicinity.

Stu Hardy will look into other communities and how they handle this.

Plenty of water available in the Town.  
Bigger issue is what happens when you move this water through a very ancient system?

Planning Board will take this up with Mr. Harkins.

Concerns:  
DEM and septic systems.  
N Tiverton water has no contingency plan.

Should the administration or Town Council weigh in on these large developments to require a water study by a qualified hydraulic engineer?

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**Discussion: Lessons learned (if any) in process to sell lots for Soccer Complex – Industrial Park**

Marc & Matt will go over what they have learned for the next meeting/agenda.

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### **Discussion: Issues to consider in siting solar energy projects**

We have a lot of renewable energy proposals for industrial park but wanted to talk about the energy facility siting decisions that weigh into this and wanted to talk about the land use aspect of setting aside 35-40 acres for what is a passive land lease net metering way to raise money. We will keep on the next agenda.

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Meeting adjourned.